

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

In re:  
SEAN C. MARSDEN  
HEATHER A. MARSDEN

Case No. 13-71623-FJS  
Chapter 7

Debtors

**MOTION TO COMPEL TURNOVER OF  
PROPERTY OF THE ESTATE**

Comes now Carolyn L. Camardo, Chapter 7 trustee (“Trustee”) for the estate of SEAN C. MARSDEN and HEATHER A. MARSDEN, (“Debtors”) and moves this Honorable Court to compel the Debtors to turnover property of the estate and in support thereof states as follows:

1. SEAN C. MARSDEN and HEATHER A. MARSDEN, (“Debtors”) filed a voluntary Chapter 13 petition on April 29, 2013 and it was converted to one under Chapter 7 on November 13, 2013.

2. Carolyn L. Camardo was appointed as interim trustee in this chapter 7 case and continues to serve in that capacity.

3. Among the assets of the estate is a National Life Group Insurance policy #xxxx3713 with non-exempt equity in the amount of \$3,744.95 at the time of the Chapter 13 filing (the “Life Insurance policy”).

4. The cash surrender value of the policy on April 9, 2013 was \$8,744.95. The Debtor has exempted \$5,000 on his timely recorded homestead deed. A copy of the cash surrender value statement is attached hereto as exhibit A.

Carolyn L Camardo, Trustee VSB #23814  
5101 Cleveland Street, Suite 200  
Virginia Beach, VA 23462  
(757) 490-2200

5. At the 341 Meeting of Creditors held on December 10, 2013, the Debtor testified that he called the insurance company prior to conversion to Chapter 7 and they told him on the phone that the policy was currently worth approximately \$9,760.00. The Trustee asked the Debtor to provide a copy of the current cash value statement, but to date has not received one.

6. Pursuant to her statutory duty to liquidate property of the estate pursuant to 11 U.S.C. §704, the Trustee has made demand for turnover of the non-exempt equity in the Life Insurance policy. Until the Trustee receives a current cash value statement, the exact amount cannot be determined.

7. The Debtor has not yet turned over the equity in the Life Insurance Policy.

WHEREFORE, Carolyn L. Camardo, Trustee, moves this Court for an order compelling the Debtor to turnover a current cash surrender value statement and the non-exempt equity in the Life Insurance Policy and for such other and further relief as is just under the circumstances.

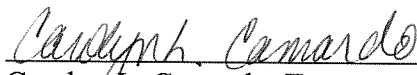
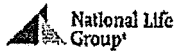
  
\_\_\_\_\_  
Carolyn L. Camardo, Trustee

Exhibit A



Welcome My Personal Information My Portfolio Service Forms

Coverage | Values | Payments | Statements | Summary

Contract Number 3713

Owner  
SEAN MARSDEN

Address  
1504 GLENMONT CT  
VIRGINIA BEACH, VA 23464-8632

Insured SEAN MARB  
Servicing Representative  
DAVID M JACKSON

Agency / Broker Dealer  
VIRGINIA

Values Effective Date 04/09/2013

Accumulated  
Value  
\$9,485.85

Surrender  
Penalty  
\$740.90

Cash Surrender  
Value  
\$8,744.85

#### Fund Values

Fund Manager  
SENTINEL  
SENTINEL  
AMERICAN CENTURY  
FIDELITY

SubAccount Name  
VPT COMMON STOCK  
VPT SMALL COMPANY  
VP VALUE  
VIP INDEX 500

#### Portfolio Rebalancing

Date of Next  
Portfolio Rebalancing  
05/07/2013

Frequency of  
Portfolio Rebalancing  
SEMI-ANNUAL

#### Loan Information

Value Available  
for a Cash Loan  
\$8,839.82

Loan  
Interest Rate  
6.000%

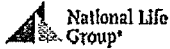
All values are as of the effective date shown and do not include any pending transactions.

The values for your variable contract are as of the close of business  
on the last date that the New York Stock Exchange was open for business.

National Life Group® is a trade name of National Life Insurance Company (NLIC) and its affiliates.  
National Life Variable Contracts distributed by Equity Services, Inc., Member FINRA/SIPC, Broker/Dealer Affiliates  
Centralized Mailing Address: One National Life Drive, Montpelier, VT 05604 | www.NationalLifeGroup.



Exhibit A



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SEAN MARSDEN

Address  
1504 GLENMONT CT  
VIRGINIA BEACH, VA 23464-8632

Insured SEAN MAR  
Serving Representative  
DAVID M JACKSON

Agency / Broker Dealer  
VIRGINIA

Coverage Information Effective Date 4/10/2013

Type of Contract  
Variable Universal Life

Issue Date  
11/07/2002

Net Death Benefit  
\$250,000.00

Variable Product Features

Phone Privilege  
Yes

Limited Power  
of Attorney  
No

Dollar Cost  
Averaging  
No

Relationship Information

Relationship  
Owner  
Insured

Name  
SEAN MARSDEN  
SEAN MARSDEN

The Net Death Benefit for your contract is as of the close of business on the last date that the New York Stock Exchange was open for business. All other information is as of the current date and does not include any pending transactions.

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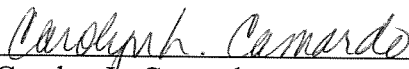
**CERTIFICATE OF SERVICE**

I certify that a true copy of the foregoing Motion to Compel Turnover was served by first class mail postage prepaid or via the Electronic Case Filing (ECF) system, as appropriate and as indicated on the following parties this January 8, 2014:

Office of the United States Trustee\*  
Federal Building, Room 625  
200 Granby Street  
Norfolk, Virginia 23510  
[USTPRegion04.NO.ECF@usdoj.com]

Seth A. Schoenfeld\*  
Tidewater Law Group  
468 Investors Place, Suite 202  
Virginia Beach, VA 23452  
[sas74a@aol.com]

Sean Marsden and  
Heather Marsden  
1504 Glenmont Court  
Virginia Beach, VA 23464

  
\_\_\_\_\_  
Carolyn L. Camardo

[\* Indicates service by ECF or e-mail. All others served by First Class U.S. Mail, postage prepaid.]

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

In re:	)
SEAN C. MARSDEN	) Case No 13-71623-FJS
HEATHER A. MARSDEN	) Chapter 7
Debtors	)
	)
Address: 1504 Glenmont Court	)
Virginia Beach, VA 23464	)
Last four digits of Social Security: XXX-XX-5507	)
XXX-XX-0358	)

**NOTICE OF MOTION TO COMPEL DEBTOR TO TURNOVER PROPERTY**

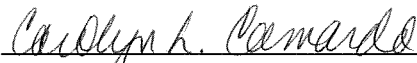
PLEASE TAKE NOTICE THAT, Carolyn L. Camardo, Chapter 7 trustee ("Trustee") of the estate of SEAN C. MARSDEN and HEATHER A. MARSDEN, ("Debtors"), filed a Motion to Compel Turnover of Property pursuant to 11 U.S.C. § 542 ("Motion"), requesting an order compelling the Debtors to turnover certain documents and non-exempt assets.

**Your rights may be affected. You should read the Motion carefully and discuss it with our attorney. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to grant the relief requested in the Motion, then you or your attorney must attend a hearing to be scheduled at a later date. You will receive a separate notice of hearing.

Under Local Rule 9013-1, unless a written objection to the Motion is filed with and received by the Clerk of the Bankruptcy Court, U.S. Bankruptcy Court, Room 400, Walter B. Hoffman Courthouse, 600 Granby Street, Norfolk, VA 23510, and received by Carolyn L. Camardo, Trustee, 5101 Cleveland Street, Suite 200, Virginia Beach, VA., **on or before seven (7) days before the scheduled hearing date**, the Court may deem any opposition waived, treat the Motion as conceded, and enter an order granting the requested relief without further notice or hearing.

Dated: January 8, 2014

  
Carolyn L. Camardo, Trustee

Carolyn L Camardo, Trustee –VSB # 23814  
5101 Cleveland Street, Suite C  
Virginia Beach, VA 23462  
(757) 490-2200

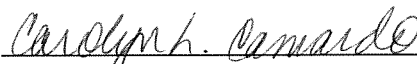
**CERTIFICATE OF SERVICE**

I certify that a true copy of the foregoing Notice of Motion to Compel Turnover of Property of the Estate was served by first class mail postage prepaid or via the Electronic Case Filing (ECF) system, as appropriate and as indicated on the following parties this January 8, 2014:

Office of the United States Trustee\*  
Federal Building, Room 625  
200 Granby Street  
Norfolk, Virginia 23510  
[USTPRegion04.NO.ECF@usdoj.com]

Seth A. Schoenfeld\*  
Tidewater Law Group  
468 Investors Place, Suite 202  
Virginia Beach, VA 23452  
[sas74a@aol.com]

Sean Marsden and  
Heather Marsden  
1504 Glenmont Court  
Virginia Beach, VA 23464

  
\_\_\_\_\_  
Carolyn L. Camardo, Trustee

[\* Indicates service by ECF or e-mail. All others served by First Class U.S. Mail, postage prepaid.]

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

In re:  
SEAN C. MARSDEN  
HEATHER A. MARSDEN

Case No. 13-71623-FJS  
Chapter 7

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**NOTICE OF HEARING**

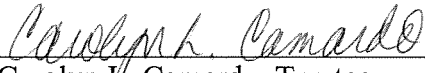
PLEASE TAKE NOTICE THAT Carolyn L. Camardo, Chapter 7 Trustee ("Trustee") of the estate of SEAN C. MARSDEN and HEATHER A. MARSDEN ("Debtors"), filed a Motion to Compel Turnover of Property of the Estate (the "Motion").

**Your rights may be affected. You should read the Motion carefully and discuss it with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief requested in the Motion then you or your attorney must attend a hearing to be held on **February 11, 2014 at 10:00 AM** at Judge Santoro's Courtroom, 600 Granby Street, 4<sup>th</sup> Floor, Courtroom 2, Norfolk, Virginia.

Under Local Rule 9013-1, unless a written objection to the Motion is filed with and received by the Clerk of the Bankruptcy Court, U.S. Bankruptcy Court, 600 Granby Street, Room 400, Norfolk, VA 23510, and received by Carolyn L. Camardo, Trustee, 5101 Cleveland Street, Suite 200, Virginia Beach, VA 23462, on or before seven (7) days before the scheduled hearing date, the Court may deem any opposition waived, treat the Application as conceded, and enter an order granting the requested relief without further notice or hearing.

Dated: January 8, 2014

  
\_\_\_\_\_  
Carolyn L. Camardo, Trustee

Carolyn L. Camardo, Trustee VSB#23814  
5101 Cleveland Street, Suite 200  
Virginia Beach, Virginia 23462  
(757) 490-2200  
(757) 490-0280 facsimile



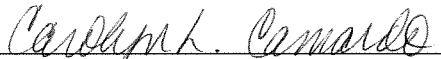
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I hereby certify that a true copy of the foregoing Notice of Hearing was served first-class mail postage prepaid or via the Electronic Case Filing (ECF)\* or by e-mail\* on January 8, 2014, to the following:

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Federal Building, Room 625  
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